

**POLI, MOON & ZANE, PLLC.**  
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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

JOSEPH ZIMMERMAN, individually  
and as Trustee of the ZIMMERMAN  
FAMILY TRUST 1994,

Plaintiff,

vs.

PENN-STAR INSURANCE COMPANY,  
a Pennsylvania corporation,

Defendant.

Case No. 2:22-cv-1174-JCM-VCF

**STIPULATION TO EXTEND  
LIMITED DISCOVERY AND  
AND DISPOSITIVE MOTION  
DEADLINES (ECF No. 13)**

**(Second Request)**

Pursuant to LR IA 6-1 and LR 7.1, the Court's Minutes dated September 30, 2022 (ECF No. 11), setting deadlines for Limited Discovery (January 27, 2023) and Dispositive Motions (February 27, 2023), and the Court's Order Granting Stipulation to Extend Limited Discovery Deadlines dated January 27, 2023 (ECF No. 13), Plaintiff Joseph Zimmerman and Defendant Penn-Star Insurance Company hereby stipulate and jointly request a 60-day extension of said deadlines. This is the parties' second request for such an extension.

The parties have attempted to complete depositions in this matter, but require additional time given the scheduling difficulties associated with doing so; due, in part, to the heavily booked calendar of Plaintiff's counsel for March and April to conduct numerous depositions in other matters, appellate deadlines, and other scheduling conflicts. In addition, defense counsel has a conflicting medical procedure with a deposition that is currently set for April 6, 2023, which deposition is being postponed.

/ / /

The following depositions are currently set, and/or need to be rescheduled:

Deponent	Role	Deposition Date
Joseph Zimmerman	Plaintiff	TBD (Previously set for March 30, 2023)
Robert Massaro	Senior Claims Examiner	TBD (Previously set for April 6, 2023)
James Overton	Claims Adjuster	April 11, 2023

Based on the foregoing, the parties respectfully request that the current limited discovery and dispositive motion deadlines be extended as follows:

(1) The deadline for Limited Discovery (to resolve the coverage and investigation issues), currently April 12, 2023, be extended to June 12, 2023; and

(2) The deadline for Dispositive Motions, currently May 15, 2023, be extended to July 14, 2023.

DATED this 5th day of April, 2023.

POLI, MOON & ZANE, PLLC

By /s/Michael N. Poli

Michael N. Poli  
403 Hill Street  
Reno, Nevada 89501  
Attorneys for Plaintiff

RESNICK & LOUIS, P.C.

By /s/Jeffrey H. Ballin (with permission)

Jeffrey H. Ballin  
8925 W. Russell Road, Suite 220  
Las Vegas, Nevada 89148  
Attorneys for Defendant  
Penn-Star Insurance Company

**CERTIFICATE OF SERVICE**

I hereby certify that on this 5th day of April, 2023, I electronically transmitted the foregoing document to the Clerk of the Court for the United States District Court, District of Nevada using the CM/ECF system for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrant and counsel of record:

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*Attorneys for Defendant*  
*Penn-Star Insurance Company*

/s/ Linda Lieber  
an employee of Poli, Moon & Zane, PLLC

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11 UNITED STATES DISTRICT COURT  
12 DISTRICT OF NEVADA

13 JOSEPH ZIMMERMAN, individually  
14 and as Trustee of the ZIMMERMAN  
FAMILY TRUST 1994,

15 Plaintiff,

16 vs.

17 PENN-STAR INSURANCE  
18 COMPANY, a Pennsylvania corporation,

19 Defendant.

Case No. 2:22-cv-1174-JCM-VCF

~~PROPOSED~~ ORDER  
GRANTING STIPULATION  
TO EXTEND LIMITED  
DISCOVERY AND  
DISPOSITIVE MOTION  
DEADLINES

20 The Court having considered the parties' Stipulation to Extend Limited  
21 Discovery and Dispositive Motion Deadlines, and good cause appearing,

22 **IT IS HEREBY ORDERED** granting the parties' stipulation.

23 **IT IS FURTHER ORDERED** as follows:

24 Limited Discovery to resolve the coverage and investigation issues shall be  
25 completed by June 12, 2023; and

26 Dispositive motions shall be filed by July 14, 2023.

27 The parties shall file a new Discovery Plan and Scheduling Order, if necessary,  
28 within 20 days after dispositive motions are resolved.

Joint Pretrial Order due August 14, 2023.

If dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after decision on the dispositive motions or further court order.

1 IT IS SO ORDERED:

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3 Dated: 4-6-2023



4 CAM FERENBACH  
5 UNITED STATES MAGISTRATE JUDGE  
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